

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO: *Rockwall  
County v. CVS Health Corporation, et al.*  
Case No. Case No. 1:19-op-45859-DAP

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**DISTRIBUTOR DEFENDANTS' NOTICE OF SETTLEMENT  
AND PENDING DISMISSAL**

Defendants AmerisourceBergen Drug Corporation, Cardinal Health 110 LLC, Cardinal Health 200 LLC, Cardinal Health 414 LLC, Cardinal Health, Inc., McKesson Corporation, and McKesson Medical-Surgical Inc. (collectively, "Distributor Defendants") write to respond to the Court's March 11, 2022 Order regarding Plaintiff Rockwall County ("Plaintiff")'s motion to remand in the above-captioned case.

Plaintiff has signed a Participation Agreement under the Distributor's Texas Settlement Agreement, and is thus a Participating Subdivision within the meaning of that settlement. The Distributors' Texas Settlement Agreement, which establishes a later timeline for certain implementation steps than the national Distributors' Settlement Agreement, requires the State of Texas to file a Consent Judgment no later than April 9, 2022, and Participating Subdivisions to dismiss all claims against Distributor Defendants with prejudice within 14 calendar days of entry of the Texas Consent Judgment. As Rockwall County is accordingly required to dismiss its claims against Distributor Defendants in the near future, Distributor Defendants take no position on the issues presented in Plaintiff's pending motion to remand in the above-captioned complaint. Distributor Defendants do not waive, and expressly reserve, the right to oppose the

remand of any other cases in this MDL to which they are a party that are not within the scope of the Distributors' Texas Settlement, the national Distributors' Settlement, or any other settlement.

March 25, 2022

/s/ Mark H. Lynch

Mark H. Lynch  
Geoffrey E. Hobart  
COVINGTON & BURLING LLP  
One City Center  
850 Tenth Street, NW  
Washington, DC 20001  
Email: mlynch@cov.com  
Email: ghobart@cov.com  
Telephone: 202-662-6000

*Counsel for McKesson Corporation and  
McKesson Medical-Surgical Inc.*

/s/ Robert A. Nicholas

Robert A. Nicholas  
Shannon E. McClure  
**REED SMITH LLP**  
Three Logan Square  
1717 Arch Street, Suite 3100  
Philadelphia, PA 19103  
Tel: (215) 851-8100  
Fax: (215) 851-1420  
rnicholas@reedsmith.com  
smcclure@reedsmith.com

*Counsel for AmerisourceBergen Drug  
Corporation*

/s/ Michael W. Mengis

Michael W. Mengis  
mmengis@bakerlaw.com  
State Bar No. 13941040  
Matt R. Raley  
mraley@bakerlaw.com  
State Bar No. 24051224  
BAKER & HOSTETLER LLP  
811 Main Street, Suite 1100  
Houston, Texas 77002  
Phone: 713.751.1600  
Fax: 713.751.1717

Enu Mainigi

emainigi@wc.com

F. Lane Heard

lheard@wc.com

Steven M. Pyser

spyser@wc.com

Ashley W. Hardin

ahardin@wc.com

WILLIAMS & CONNOLLY LLP

725 Twelfth Street, N.W.

Washington, DC 20005

Phone: 202.434.5000

Fax: 202.434.5029

*Counsel for Defendants Cardinal Health, Inc.,  
Cardinal Health 110 LLC, Cardinal Health  
200 LLC, and Cardinal Health 414 LLC*